CONFIDENTIAL Secl't. II.27—40,000—20-3

Departmen

SERIES.

G.O. No. 1647
Confidential

Dated 5-7-40

112 Confidential

[Despatch Abstract]

Village Officer (Conti Kanara) - Fixed

punishing of recruit - Police Manual.

DEPARTMENT

CURRENT No.

Registered 12/6/1940

Subject

Embezzlement - (South Kanara) -Kasargod taluk -Varkadi village - Seigniorage and Land Revenue amounts- Acting Potel - Security from village officers - Report -Submitted.

Resolution No. Mis. 153

Station Madras *Dated the* 7th June 19 40

From S.Venkateswaran Esq., I.C.S.,
Secretary,
Board of Revenue.

F.W.Stewart Esq.,
Commissioner of Land Revenue.

Read the following:-

Memorandum from Government, Revenue department No. 942-C/38-1 dated 3rd February 1939.

II.
Letter from Sri Diwan Bahadur M.V. Vellodi B.A., Collector of South Kanara No.Ref. A-1-2107-39 dated the July 1939.

III.
Letter from A.C.Woodhouse Esq., C.I.E., Collector of South Kanara No. Ref. A1-2107-39 dated 2-12-1939.

Resolution

The Board submits the following report with reference to paragraph 2 of the Government Memorandum read above.

2. The practice of taking security from village headman in Malabar has been in existence since 1852. Formerly the amount of security to be demanded from a village headman was 20% of the collection which he has to make in the village.

village. The practice now in Malabar is to demand a security of 20% of the total collections in the Palghat division and 25% in the other divisions and security bonds of village headmen are executed in standardised forms.

3. The orders in force in South Kanara require no securi from headmen. The Government in their order No. 396 Revenue dated 18-3.1884 negatived the proposal to take security from village officers. The Board also passed orders in stray cases that there were no sufficient grounds for departing from the accepted practice of not taking security from village headman. The Collector of South Kanara however reported that in olden days the village officers were mostly persons of status belonging to well-to-do families, -- commanding influence in the village. He stated that now most of the village headmen in South Kanara come from Aliyasanthana families and that such headmen are mostly without independent status and property and have often to depend upon the emoluments of the post. He also stated that the result was that cases of embezzlements of Government money were occurring frequently and that in some of them, it was not possible to recover the amounts as they owned no personal property. He therefore recommended that a man of no property should not be appointed as the head of a village even though he may be the next heir or a member of the family of the last holder and suggested in the alternative that security may be taken.

The Board has examined the proposal. The only justification for the Collector's proposal is that cases of embezzlements of Government moneys are occurring frequently and that in some of them it was not possible to recover the amounts for want of personal property. The Collector was requested to give details of all cases of embezzlement of village officers that occurred in his district during 1936- 1938 and in some of them it was not possible to recover the amounts fo want of personal property owned by them. The Board observes that there were 8 cases of embezzlements in the South Kanara

district during 1936-38 and that there was no loss to Government as the amounts embezzled were either recovered from the individuals concerned or paid by their relations. Copy of the Collector's report with the statement is submitted to the Government. The Board observes that the statement of the number of cases of embezzlement in the South Kanara district does not justify the proposal of the Collector to demand security. It therefore considers it unnecessary to obtain security from village headmen in the South Kanara district.

Letter from Sri Diwan Bahadur M.V.Vellodi B.A., Collector of South Kanara No. Ref.A1-2107-39 dated 7th July 1939.

Village Officers - Headman - Taking of security-proposal -Reported.

Reference:- Board's References 904/39-1 dated 27-2-1939 and 904/39-2, dated 19-4-1939.

The question raised by the Board in para 2 of its Reference quoted above is whether the system of requiring village headman to furnish security which is in force in Malabar ~~district~~ could possibily be extended to this district also. It will be clear from the letter of the Collector of Malabar - L.Dis. 2370/39, dated 23-3-1939 -- communicated with Board s Reference C.No. 904/39, dated 19-4-39 that the practice of taking security from Village headmen of his district was sanctioned by the Board in the year 1852 as seen from Board's Proceedings No. 2445, dated 31-8-1874. In this district, however, the orders in force are, as already reported in this office Ref. A-1-2107/3 dated 23-3-1939 quite to the contrary. The earliest Board's Proceedings on this subject which is available in Board's Proceedings No. 335, L.R., dated 3-9-1896 in which the Board has definitely said that the Government had already negatived the proposal to take security from Village Officers and subsequently even in stray cases where the Collector found it necessary to insist upon security in the interest of Government revenue, the Board passed orders that there are no -- sufficient grounds from departing from the accepted practice of not taking security from Village Headmen - Vide Board's Proceedings Rt. No. 1611, dated 20-4-1923 and Board's -- Proceedings Mis. 445, dated 17-2-1927 and Board's Proceedings Mis. 1237, dated 26-3-35. Of course in olden days there was no need to insist on security as the headmen at that time were mostly persons of status and members of pretty well-to-do families who were mindful of their self respect and influence which they commanded in the village. Most of the village headmen in this district come from Aliyasanthanam families

and such headmen of the present day are mostly without independent status and property and have often to depend upon the emoluments of the post. The result is that, of late, cases of embezzlement of Government monies are occurring frequently and in some of them it was not possible to recover the amounts for want of personal property owned by them. It is on this ground that it was recommended in this office letter Ref. A.1-2107/39, dated 23-3-1939 quoted above that a man possessed o no property should not be appointed as the head of a village, even though he is the next heir or a member of the family of the last holder, If, however, the Board thinks that it is not desirable to take such a step now, the only course open is to take security in order to safe.guard the interests of Government as there is no doubt that it is unsafe to allow men of no property to be in charge of the posts and entrust them with land Revenue and other Government dues.

2. If the system of taking security is to be introduced, I should think that the same principles as are in vogue in Malabar might be followed here. The general principles laid down in B.S.O. No. 130 regarding the acceptance of securities from public servants may be made to apply in the case of Village headmen also. The amount of security which is now in vogue in Malabar is 20% of the total collections in the Palghat division and 25% in other divisions. A uniform rate of 25% may be fixed for this district as Land Revenue is collected in four kists and as Village headmen are expected to be in -- possession of amounts equivalent to one kist at a time.

Both immovable properties and cash may be accepted as security for the appointment. If the headmen are unable to tender their own properties as security other persons interested in them may be permitted to furnish security of landed properties or cash on behalf of the headmen. The security bonds may be got executed in the standardised forms in Malayalam R.F.No.XXVIII 15 to 17. As these forms are also required in Kanarese they will have to be got printed in Kanarese as well. Of course these bonds will have to be verified annually as in the case of bonds executed by Government servants to see that the securities continue to be safe and sound.

Letter from A.C.Woodhouse Esq., C.I.E., Collector of South Kanara No. Ref. A1- 2107-39 dated 2-12-1939.

Village officers - Headmen - Taking of security -Proposal. Report -submitted.

Board's Reference- C.No. 904/39-4 dated 16-10-39.

The question raised is whether it will be possible to get security in the shape of immovable property or cash from all headmen and if some headmen are not able to procure sureties whether personal security may be accepted.

I have consulted the Revenue Divisional Officers. They are of opinion that security in the shape of cash or immovable properties cannot be obtained from all village headmen as most of them are junior members of Aliyasantha na or Marumakkathayam families with very little property or cash of their own- These junior members are not -- legally competent to tender their family property as security without the consent of all the adult members in the family, which it is difficult to get in most of the cases on account of faction and rivalry generally rampant in such families. Such being the case, it is desirable that the headmen who are unable to offer security in the shape of immovable properties and cash should be given the option of giving personal security. If headmen are unable to offer personal property, security of persons whether residing in or outside the village may be accepted. It is no doubt desirable that the sureties should be persons residing outside the village as it will keep the headmen free from any obligation to them; but it may not always be possible for the headmen to procure such sureties as easily as in their own villages. The amount of security may be fixed at ¼ the total land Revenue demand of the village or villages forming each headman's group as the Land Revenue is collected in four equal instalments or kists in the district.

To A-5

As the result of an examination made for the purpose of improving land revenue collections in the Anti Kanara dt., the Board of Rev. approved in 1935, the proposal of the Collector of Anti Kanara that he should freely use his discretion

(i) removing vge. headmen who were personally involved in debts, and

(ii) disregarding proposals of the guardians of minors when the deputy proposed by them was personally involved in debts.

The Bd. did not approve of the Colr's proposal to insist on personal ~~security~~ property qualifications for the appointment of headmen, as such insistence would, in the Board's opinion, give rise to the charge that the Govt. were hastening the dissolution of the

Alya Santhana families

2 In connexion with the embezzlement of some amounts of seigniorage and land revenue collections in 1938 by an acting pōlil (headman) of the Kasargod Taluk, South Kanara dt., it was pointed out that the system of requiring vge. headmen to furnish sureties was in force in the Malabar and the possibility of extending the system to the S. dt. of South Kanara should be considered. In its Fifth Report in the Cy. the Bd. of Rev. has now tabled a report in the matter of the Controlling Offr. of South Kanara.

See para 2 of the Cy. on p. 194 of Min Addl. Dy. Secy's note on p. 27 of G.O.No. 775 Rev.

3 It will be seen from the Bd's Report that the practice of taking security from vge. headman in Malabar has been in existence since 1852, that the practice at present is to demand a security of 20 per cent of the total Collections in the Palghat division and 25 per cent in other divisions and the that security bonds of vge. headmen are executed in standardised forms. [In para 2 of the Memo. no. 942 C/38-1 dt. 3.2.39 and the Fin. Addl. Dy. Secy's note on p. 27 of G.O.No. 775 Rev. dt. 28.3.40, refer to "sureties". Presumably what was meant was "securities"].

M1-2 4

& See also B.P. 244 (K) dt. 31.8.1874 [The 1852 Rep. has been furnished by the H.R.C. to Bd — see (K)]

p. 19 of (H)

p. 27 of (H)

security is furnished by ... y

there is no reason why the same procedure should not be followed in S. Kanara also. But in view of the fact that the number of cases has been few and the amounts have been recovered and in view of the present situation ① it is advised not press the matter

① This may furnish food for agitators in S. Kanara who it may react on Malabar in there may be agitation to dispense with the security there

It would be a bad time to start on innovation. (Rev)

I agree that the proposal may be dropped.

29/6

From Rei Bd of Rev Regn Mis 1533 d 7-6-40
Rev Mis 1647 Confdl d 5-7-40

Rei